

# Information Report

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Service Area	Corporate Services
Date	Friday, March 27, 2020
Subject	<b>Litigation Status Report</b>
Report Number	CS-2020-11

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## Executive Summary

### Purpose of Report

To provide information regarding the current status of litigation involving the City.

### Key Findings

The amount of litigation, excluding planning and insured matters, that the City is involved in remained static, more or less, over the last six months. The number of matters, excluding insured matters, being handled by external counsel remained the same over the last six months.

### Financial Implications

N/A

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## Report

### Details

The attached table sets out the details of the litigation the City is involved in and the resolutions that have occurred since the last report, which was issued in September 2019.

Legal Services continues to seek resolution of the litigation and LPAT matters in a timely fashion, and has been successful in resolving a number of matters in the last six months.

### Financial Implications

N/A

### Consultations

N/A

### Strategic Plan Alignment

This report aligns with Strategic Plan priority Working together for our future; improving how the City communicates with residents and delivers services.

## Attachments

Attachment-1: Litigation Status Report as of March 18, 2020

## Departmental Approval

N/A

## Report Author

Jeff Aitkens, Deputy City Solicitor



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### Approved By

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### Recommended By

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**ATTACHMENT-1**  
**LITIGATION STATUS REPORT**  
**As of March 18, 2020**

<b>COURT ACTIONS</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>Bousfield v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-20-060)	<ul style="list-style-type: none"> <li>• Application seeking declaration for property to have legal non-conforming status</li> </ul>	<ul style="list-style-type: none"> <li>• February 7, 2020 – City served with Notice of Application</li> </ul>	<ul style="list-style-type: none"> <li>• March 31, 2020 – First Appearance in Motions Court</li> </ul>	Legal Services
<b>Fava v. City of Guelph</b> (Superior Court of Justice Court File No. CV-19-429)	<ul style="list-style-type: none"> <li>• Appeal of Property Standards Committee Decision</li> </ul>	<ul style="list-style-type: none"> <li>• November 22, 2019 – City served with Notice of Appeal</li> </ul>	<ul style="list-style-type: none"> <li>• June 22, 2020 – Appeal to be heard</li> </ul>	Legal Services
<b>Ahmad Nasef v. City of Guelph</b> (Superior Court of Justice Court File No. CV-19-068)	<ul style="list-style-type: none"> <li>• Slip and Fall – March 2, 2017</li> </ul>	<ul style="list-style-type: none"> <li>• March 1, 2019 – City served with Statement of Claim</li> <li>• March 15, 2019 – City served and filed Defence</li> </ul>	<ul style="list-style-type: none"> <li>• Examinations for Discovery to be scheduled</li> </ul>	Legal Services
<b>Huish and Hayston v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-19-048)	<ul style="list-style-type: none"> <li>• Malicious Prosecution</li> </ul>	<ul style="list-style-type: none"> <li>• February 26, 2019 – City served with Statement of Claim</li> <li>• March 8, 2019 – City served and filed Notice of Intent to Defend</li> </ul>	<ul style="list-style-type: none"> <li>• Settlement Discussions Ongoing</li> </ul>	Legal Services
<b>Stewart v. City of Guelph</b> (Superior Court of Justice Court File No. CV-18-422)	<ul style="list-style-type: none"> <li>• Property Standards Claim</li> </ul>	<ul style="list-style-type: none"> <li>• December 4, 2018 – City served with Statement of Claim</li> <li>• January 4, 2019 - City served and filed Defence</li> </ul>	<ul style="list-style-type: none"> <li>• Examinations for Discovery to be scheduled</li> </ul>	Legal Services
<b>City of Guelph v. Huish and Hayston</b> (Superior Court of Justice Court File No. CV 18-367)	<ul style="list-style-type: none"> <li>• Appeal decision of Property Standards Committee</li> </ul>	<ul style="list-style-type: none"> <li>• October 11, 2018 – City served Notice of Application</li> </ul>	<ul style="list-style-type: none"> <li>• Hearing date to be scheduled</li> </ul>	Legal Services
<b>Marfisi v. City of Guelph et al.</b> (Superior Court of Justice Court File No. 408/17 SR)	<ul style="list-style-type: none"> <li>• Bicycle Accident – October 13, 2015</li> </ul>	<ul style="list-style-type: none"> <li>• October 5, 2017 – City served with Statement of Claim</li> <li>• November 28, 2017 – City filed Defence and Crossclaim</li> </ul>	<ul style="list-style-type: none"> <li>• City to be indemnified by Co-Defendant</li> </ul>	Legal Services

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<b>COURT ACTIONS</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>Evering v. City of Guelph</b> (Superior Court of Justice Court File No. 227/17)	<ul style="list-style-type: none"> <li>Slip and Fall - February 2013</li> </ul>	<ul style="list-style-type: none"> <li>May 23, 2017 – City served with Statement of Claim</li> <li>June 29, 2017 – City filed Defence</li> <li>November 23, 2017 – City requested scheduling of Examinations</li> </ul>	<ul style="list-style-type: none"> <li>Examinations for Discovery to be scheduled</li> </ul>	Legal Services
<b>Evering v. City of Guelph</b> (Superior Court of Justice Court File No. 228/17)	<ul style="list-style-type: none"> <li>Slip and Fall – February 2017</li> </ul>	<ul style="list-style-type: none"> <li>May 23, 2017 – City served with Statement of Claim</li> <li>June 29, 2017 – City filed Defence</li> <li>November 23, 2017 – City requested scheduling of Examinations</li> </ul>	<ul style="list-style-type: none"> <li>Examinations for Discovery to be scheduled</li> </ul>	Legal Services
<b>Jakel v. City of Guelph</b> (Superior Court of Justice Court File No. 670/16)	<ul style="list-style-type: none"> <li>Slip and Fall</li> </ul>	<ul style="list-style-type: none"> <li>November 2, 2016 – City served with Notice of Action and Statement of Claim</li> <li>December 1, 2016 – City filed Defence</li> <li>November 8, 2017 – City requested scheduling of Examinations</li> </ul>	<ul style="list-style-type: none"> <li>Examinations for Discovery to be scheduled</li> </ul>	Legal Services
<b>Westminster Woods v. City of Guelph</b> (Superior Court of Justice Court File No. 707/13)	<ul style="list-style-type: none"> <li>Claim re: Stage III Services pursuant to Subdivision Agreement</li> </ul>	<ul style="list-style-type: none"> <li>October 4, 2013 – Statement of Claim served on City</li> <li>November 12, 2013 – City filed Statement of Defence</li> <li>November 25, 2013 – Reply served on City</li> </ul>	<ul style="list-style-type: none"> <li>Summary Judgment Motion Scheduled for March 30, 2020</li> </ul>	Legal Services  Aird & Berlis LLP

<b>COURT ACTIONS RESOLVED SINCE September 18, 2019</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>Martin v. City of Guelph et al.</b> (Superior Court of Justice)	<ul style="list-style-type: none"> <li>Trip and Fall</li> </ul>	<ul style="list-style-type: none"> <li>January 3, 2019 – City served with Statement of Claim</li> <li>February 24, 2020 – City received order</li> </ul>	<ul style="list-style-type: none"> <li>This matter is complete</li> </ul>	Legal Services

**ATTACHMENT-1**  
**LITIGATION STATUS REPORT**  
**As of March 18, 2020**

<b>COURT ACTIONS RESOLVED SINCE September 18, 2019</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
Court File No. CV-18-425 SR)		dismissing the action		
<b>Runstedler v. City of Guelph</b> (Superior Court of Justice Court File No. 159/18 SR)	<ul style="list-style-type: none"> <li>• Flood Damage</li> </ul>	<ul style="list-style-type: none"> <li>• April 13, 2018 – City served with Notice of Action</li> <li>• May 25, 2018 – City served Defence</li> <li>• October 11, 2019 – matter discontinued on consent</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Legal Services
<b>Smith v. City of Guelph</b> (Superior Court of Justice Court File No. 18/16)	<ul style="list-style-type: none"> <li>• Claim for an order to remove and realign certain public utilities located under the plaintiffs' property at 16 Summerfield</li> </ul>	<ul style="list-style-type: none"> <li>• January 14, 2016 – Statement of Claim served on City</li> <li>• March 2, 2016 – City served Defence</li> <li>• Settlement reached</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Legal Services  Rodrigues Paiva LLP

<b>LPAT MATTERS</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>75 Dublin Street North</b> (Case No. PL180546)	<ul style="list-style-type: none"> <li>• Appeal by Rykur Holdings Inc. from the refusal of a privately initiated Official Plan Amendment.</li> </ul>	<ul style="list-style-type: none"> <li>• May 22, 2018 – Appeal Received</li> <li>• November 8, 2018 – Case management conference held</li> <li>• February 12, 2020 – case management conference held</li> </ul>	<ul style="list-style-type: none"> <li>• No hearings scheduled at this time</li> </ul>	Legal Services
<b>132 Clair Road West</b> (Case No. PL171454)	<ul style="list-style-type: none"> <li>• Appeals by Herbert Neumann, Frank Cerniuk, Sieben Holdings Limited, H and J Produce Limited, and McEnergy Industries Limited</li> </ul>	<ul style="list-style-type: none"> <li>• December 4, 2017 – 2 appeals received</li> <li>• June 10, 2019 – Pre-hearing held</li> <li>• November 29, 2019 – Status hearing held</li> </ul>	<ul style="list-style-type: none"> <li>• April 2, 2020 – Pre-hearing scheduled</li> </ul>	Legal Services
<b>75 Dublin Street North</b> (Case No. PL161294)	<ul style="list-style-type: none"> <li>• Appeals by Upper Grand District School Board, Old Guelph Neighborhood Association Inc., and Rykur Holdings Inc.</li> </ul>	<ul style="list-style-type: none"> <li>• December 21, 2016 – appeal received</li> <li>• August 14, 2017 – pre- hearing held</li> <li>• November 17, 2017 – Motion hearing held</li> <li>• May 11, 2018 – Interim decision on motions issued.</li> </ul>	<ul style="list-style-type: none"> <li>• No hearings scheduled at this time</li> </ul>	Legal Services
<b>OPA 48 (7 Appeals)</b>	<ul style="list-style-type: none"> <li>• Seven (7) Appeals received relating to</li> </ul>	<ul style="list-style-type: none"> <li>• December, 2013 – OPA 48 Approved by</li> </ul>	<ul style="list-style-type: none"> <li>• March 23, 2018 – decision</li> </ul>	Legal Services

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<b>LPAT MATTERS</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
(Case No. PL 140042)	Official Plan Amendment 48 (Envision Guelph) as approved by the Minister of Municipal Affairs and Housing.	Minister of Municipal Affairs and Housing <ul style="list-style-type: none"> <li>• December, 2013 – Appeals received</li> <li>• September 15, 2015 – Phase 1 hearing scheduled for 10 days - adjourned</li> <li>• November 20, 2015 – Phase 1 decision issued resolving part of one (1) appeal</li> <li>• September 25, 2017 – Housekeeping phase hearing completed</li> </ul>	issued confirming settlement of Niska Road Lands Phase <ul style="list-style-type: none"> <li>• No further hearings scheduled at this time</li> </ul>	
<b>1159 Victoria Road South</b> (Case No. PL121406)	<ul style="list-style-type: none"> <li>• Appeals by Victoria Park Village Ltd. regarding failure to make a decision within the prescribed time</li> </ul>	<ul style="list-style-type: none"> <li>• November 29, 2012 – Appeal received</li> <li>• May 14, June 28, September 18 and November 15, 2013 – Prehearings held</li> <li>• June 16, 2014 – hearing held by teleconference</li> <li>• April 29 and August 18, 2015 – hearings held by teleconference</li> <li>• November 5, 2015 - Status hearing held</li> <li>• May 3, 2016 – hearing held by teleconference</li> </ul>	<ul style="list-style-type: none"> <li>• No hearings scheduled at this time</li> </ul>	Legal Services  Garrod Pickfield

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<b>LPAT MATTERS RESOLVED SINCE September 18, 2019</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>580 Paisley Road – Armel Corporation</b> (Case No. MM080050)	<ul style="list-style-type: none"> <li>• Appeal by the owner, Armel Corporation, of a decision not to approve a site plan application for a proposed gas bar, car wash and kiosk. The main issue relates to site access.</li> </ul>	<ul style="list-style-type: none"> <li>• October 1, 2008 – Appeal received</li> <li>• March 9, 2020 – received order dismissing the appeal.</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Legal Services
<b>Development Charge By-law (2019) - 20372</b> (Case No. DC190005)	<ul style="list-style-type: none"> <li>• Appeal by Hugh Whiteley</li> </ul>	<ul style="list-style-type: none"> <li>• March 25, 2019 – appeal received</li> <li>• August 9, 2019 – pre-hearing held</li> <li>• January 13-14, 2020 – hearing held</li> <li>• February 18, 2020 – Decision received</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Garrod Pickfield LLP
<b>58 Memorial Crescent</b> (Case No. PL190309)	<ul style="list-style-type: none"> <li>• Appeal by Annamaria Bartolomucci</li> </ul>	<ul style="list-style-type: none"> <li>• July 2, 2019 – appeal received</li> <li>• November 6, 2019 – hearing held</li> <li>• January 17, 2020 – Decision received</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Legal Services
<b>622 College Avenue West</b> (Case No. PL190325)	<ul style="list-style-type: none"> <li>• Appeal by Jaspreet and Gurkirat Dhillon</li> </ul>	<ul style="list-style-type: none"> <li>• July 16, 2019 – appeal received</li> <li>• December 9, 2020 – Hearing held</li> <li>• January 3, 2020 – Decision received</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Legal Services
<b>89 Beechwood Avenue</b> (Case No. PL190050)	<ul style="list-style-type: none"> <li>• Appeal by Tom Wood</li> </ul>	<ul style="list-style-type: none"> <li>• February 15, 2019 – appeal received</li> <li>• August 8, 2019 – Case management conference held</li> <li>• December 23, 2019 – Decision received</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Garrod Pickfield
<b>435 Stone Road West</b> (Case No. MM190013)	<ul style="list-style-type: none"> <li>• Appeal by Stone Road Mall Holdings Inc.</li> </ul>	<ul style="list-style-type: none"> <li>• July 24, 2019 – appeal received</li> <li>• November 28, 2019 – Appeal withdrawn</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Legal Services

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<b>144 Watson Road North</b> (Case No. PL170803)	<ul style="list-style-type: none"> <li>• Appeal by CP REIT Ontario Properties and Loblaw Properties Limited</li> </ul>	<ul style="list-style-type: none"> <li>• July 12, 2017 – Appeal received</li> <li>• January 31, 2018 – hearing date adjourned</li> <li>• October 7, 2019 – Order received</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	Legal Services
<b>15 Dumbarton Street</b> (Case No. PL190148)	<ul style="list-style-type: none"> <li>• Appeal by Andrew Westbrook</li> </ul>	<ul style="list-style-type: none"> <li>• March 29, 2019 – appeal received</li> <li>• July 10, 2019 – Hearing held</li> <li>• September 18, 2019 – Order received</li> </ul>	<ul style="list-style-type: none"> <li>• This matter is complete</li> </ul>	City not a party

<b>OTHER MATTERS</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>Kovarthanan Konesavarathan Human Rights Tribunal of Ontario</b> (File No. 2017-28841-I)	<ul style="list-style-type: none"> <li>• Appeal by K. Konesavarathan</li> </ul>	<ul style="list-style-type: none"> <li>• November 30, 2018 – HRTTO sent Application to Respondents</li> <li>• July 5, 2017 – Application submitted to HRTTO</li> <li>• January 17, 2019 – City filed Response</li> <li>• October 18, 2019 – hearing held</li> </ul>	<ul style="list-style-type: none"> <li>• March 24, 2020 – continuation of October 18, 2019 hearing scheduled</li> </ul>	Legal Services
<b>The Corporation of the City of Guelph v. Director, Ministry of the Environment</b> (Case No. 13-013)	<ul style="list-style-type: none"> <li>• City is appealing to the Environmental Review Tribunal (ERT) the issuance of Permit to Take Water Number 5080-8TAKK2 to River Valley Developments Inc.</li> </ul>	<ul style="list-style-type: none"> <li>• February 12, 2013 – City filed an application for Leave to Appeal with the ERT</li> <li>• May 2, 2014 – Leave to Appeal to ERT granted</li> <li>• City filed Appeal</li> <li>• November 4, 2014 - Status Update with ERT, held by teleconference.</li> <li>• Third-party mediation session held November 28, 2014</li> </ul>	<ul style="list-style-type: none"> <li>• Mediation ongoing</li> </ul>	Garrod Pickfield  Legal Services



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<b>OTHER MATTERS RESOLVED SINCE September 18, 2019</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>NONE</b>	•	•	•	

<b>MATTERS BEING HANDLED BY INSURERS' LEGAL COUNSEL *</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>Blay v. City of Guelph</b> (Superior Court of Justice Court File No. CV-20-102)	• Slip and Fall – April 17, 2018	• March 13, 2020 – City served with Statement of Claim	• Counsel to be assigned	
<b>McPhee v. City of Guelph</b> (Superior Court of Justice Court File No. CV-20-31)	• Automobile accident – March 27, 2018	• March 4, 2020 - City served with Statement of Claim	• Counsel to be assigned	
<b>Hung v. City of Guelph et al</b> (Superior Court of Justice Court File No. CV-20-132)	• Automobile accident – February 2, 2019	• January 21, 2020 – City served with Statement of Claim	• Counsel to be assigned	
<b>Correia v. City of Guelph</b> (Superior Court of Justice Court File No. CV-20-007)	• Automobile accident – January 13, 2018	• January 13, 2020 – City served with Statement of Claim • February 18, 2020 – City Filed Statement of Defence	• Examinations to be Scheduled	Insurer's legal counsel
<b>Harkness v. City of Guelph</b> (Superior Court of Justice Court File No. CV-19-382)	• Trip and Fall – July 2, 2018	• October 16, 2019 – City served with Statement of Claim	• Insured's Legal counsel has been appointed	Insurer's legal counsel
<b>Levesque v. City of Guelph</b> (Superior Court of Justice Court File No. CV-19-381)	• Slip and Fall – March 14, 2018	• October 16, 2019 – City served with Statement of Claim	• Insured's Legal counsel has been appointed	Insurer's legal counsel
<b>Hartung et al v. City of Guelph et al</b> (Superior Court of Justice Court File No. CV-19-381)	• Personal Injury – September 30, 2016	• July 8, 2019 – Served with Motion Record adding the City as a Defendant	• Insured's Legal counsel has been appointed	Insurer's legal counsel

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<b>MATTERS BEING HANDLED BY INSURERS' LEGAL COUNSEL *</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
File No. C-1341-17)				
<b>McIntosh v. City of Guelph</b> (Superior Court of Justice Court File No. CV-19-245)	• Trip and Fall – December 27, 2018	• June 27, 2019 – City served with Statement of Claim	• Insured's Legal counsel has been appointed	Insurer's legal counsel
<b>Griffith v. City of Guelph</b> (Superior Court of Justice Court File No. CV-19-169)	• Trip and Fall – January 18, 2018	• May 15, 2019 – City served with Statement of Claim	• Insured's Legal counsel has been appointed	Insurer's legal counsel
<b>Azeb Kebede Birida v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-19-150)	• Personal Injury – January 22, 2018	• April 30, 2019 – City served with Statement of Claim	• Insured's Legal counsel has been appointed	Insurer's legal counsel
<b>1991333 Ontario Inc. v. City of Guelph</b> (Superior Court of Justice Court File No. CV-19-808)	• Alleged Negligent Misrepresentation	• April 23, 2019 – City served with Statement of Claim	• Examinations to be scheduled	Insurer's legal counsel
<b>Madgy Eldakiky v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-18-340)	• Property Damage	• February 26, 2019 – City served with Statement of Claim	• Insured's Legal counsel has been appointed	Insurer's legal counsel
<b>Victoria Mann v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-19-027)	• Slip and Fall – February 7, 2017	• January 30, 2019 – City served with Statement of Claim	• Examinations to be scheduled	Insurer's legal counsel
<b>Starlight Group Property Holdings Inc.</b>	• Property Damage – March 17, 2017	• January 28, 2019 – City served with Statement of Claim	• Insured's Legal counsel has been appointed	Insurer's legal counsel

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<b>et al. v. City of Guelph</b> (Superior Court of Justice Court File No. CV-19-026)				
<b>Joshi v. City of Guelph</b> (Superior Court of Justice Court File No. CV-18-457)	<ul style="list-style-type: none"> <li>• Slip and Fall – April 20, 2018</li> </ul>	<ul style="list-style-type: none"> <li>• January 21, 2019 – City provided Statement of Claim.</li> </ul>	<ul style="list-style-type: none"> <li>• Examinations for Discovery Completed</li> <li>• City to Fulfil undertakings</li> </ul>	Insurer's legal counsel
<b>Artymowicz v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-19-020)	<ul style="list-style-type: none"> <li>• Personal Injury – August 31, 2017</li> </ul>	<ul style="list-style-type: none"> <li>• January 7, 2019 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Resolution Discussions Ongoing</li> </ul>	Insurer's legal counsel
<b>Johnson v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-18-448)	<ul style="list-style-type: none"> <li>• Slip and Fall – January 18, 2017</li> </ul>	<ul style="list-style-type: none"> <li>• December 21, 2018 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Insured's Legal counsel has been appointed</li> </ul>	Insurer's legal counsel
<b>Burns v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-18-1303)	<ul style="list-style-type: none"> <li>• Slip and Fall – December 9, 2016</li> </ul>	<ul style="list-style-type: none"> <li>• October 17, 2018 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Insured's Legal counsel has been appointed</li> </ul>	Insurer's legal counsel
<b>Smith v. City of Guelph</b> (Superior Court of Justice Court File No. CV-18-304)	<ul style="list-style-type: none"> <li>• Slip and Fall – February 7, 2017</li> </ul>	<ul style="list-style-type: none"> <li>• August 28, 2018 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• City currently fulfilling undertakings</li> </ul>	Insurer's legal counsel
<b>Brunet v. City of Guelph</b> (Superior Court of Justice Court File No. CV-18-230)	<ul style="list-style-type: none"> <li>• Longboard accident – September 13, 2016</li> </ul>	<ul style="list-style-type: none"> <li>• June 12, 2018 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Resolution Discussions Ongoing</li> </ul>	Insurer's legal counsel
<b>Simpson v. City of Guelph</b> (Superior Court of Justice Court File No. CV-18-230)	<ul style="list-style-type: none"> <li>• Slip and Fall – February 14, 2018</li> </ul>	<ul style="list-style-type: none"> <li>• May 8, 2018 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Examinations for Discovery held February 25, 2020</li> </ul>	Insurer's legal counsel

**ATTACHMENT-1**  
**LITIGATION STATUS REPORT**  
**As of March 18, 2020**

<b>MATTERS BEING HANDLED BY INSURERS' LEGAL COUNSEL *</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
File No. CV-18-192)			<ul style="list-style-type: none"> <li>• Undertakings to be fulfilled</li> </ul>	
<b>Barry v. City of Guelph</b> (Superior Court of Justice Court File No. 144/18)	<ul style="list-style-type: none"> <li>• Trip and Fall – November 14, 2016</li> </ul>	<ul style="list-style-type: none"> <li>• April 5, 2018 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Pre-Trial Scheduled for April 2020</li> </ul>	Insurer's legal counsel
<b>Peacock v. City of Guelph</b> (Superior Court of Justice Court File No. 34/18)	<ul style="list-style-type: none"> <li>• Slip and Fall – July 1, 2017</li> </ul>	<ul style="list-style-type: none"> <li>• January 25, 2018 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Insured's Legal counsel has been appointed</li> </ul>	Insurer's legal counsel
<b>Cavanagh v. City of Guelph, Vinyl Jimmy Jazz, James Kritz and Jeffrey Bousfield</b> (Superior Court of Justice Court File No. 379/17)	<ul style="list-style-type: none"> <li>• Slip and Fall – November 17, 2015</li> </ul>	<ul style="list-style-type: none"> <li>• September 19, 2017 – City served with Statement of Claim</li> <li>• December 15, 2018 – Statement of Defence filed by City</li> </ul>	<ul style="list-style-type: none"> <li>• Co-Defendant has indemnified the City and assumed its defence</li> </ul>	Insurer's legal counsel
<b>642762 Ontario Inc. v. City of Guelph et al.</b> (Superior Court of Justice Court File No. 85/17)	<ul style="list-style-type: none"> <li>• Alleged environmental contamination</li> </ul>	<ul style="list-style-type: none"> <li>• August 23, 2017 – City served with Notice of Action and Statement of Claim</li> <li>• June 4, 2019 – City filed Defence and Crossclaim</li> </ul>	<ul style="list-style-type: none"> <li>• Examination for Discovery to be scheduled</li> </ul>	Legal Services
<b>Sethupathi v. City of Guelph et al.</b> (Superior Court of Justice Court File No. CV-17-576347)	<ul style="list-style-type: none"> <li>• Motor vehicle accident – January 12, 2016</li> </ul>	<ul style="list-style-type: none"> <li>• June 15, 2017 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Examinations for Discovery have been scheduled</li> </ul>	Insurer's legal counsel
<b>Livingston v. Guelph Transit et al.</b> (Superior Court of Justice Court File No. 35/17)	<ul style="list-style-type: none"> <li>• Transit incident – January 28, 2015</li> </ul>	<ul style="list-style-type: none"> <li>• May 29, 2017 – City served with Statement of Claim</li> </ul>	<ul style="list-style-type: none"> <li>• Pre-Trial Schedule for April, 2020</li> </ul>	Insurer's legal counsel
<b>Cooper (Stewart) v. City of Guelph et al.</b> (Superior	<ul style="list-style-type: none"> <li>• Motor vehicle accident – October 25, 2016</li> </ul>	<ul style="list-style-type: none"> <li>• January 20, 2017 – Statement of Claim amended to include City as a party</li> </ul>	<ul style="list-style-type: none"> <li>• Examinations for Discovery for Third Party</li> </ul>	Insurer's legal counsel

**ATTACHMENT-1  
LITIGATION STATUS REPORT  
As of March 18, 2020**

<b>MATTERS BEING HANDLED BY INSURERS' LEGAL COUNSEL *</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
Court of Justice Court File No. 16-58756)			Claim to be scheduled	

**\* Does not include claims solely against Guelph Police Services (*i.e.*, City not named as a party)**

<b>INSURED MATTERS COMPLETE SINCE September 18, 2019</b>				
<b>Matter</b>	<b>Description</b>	<b>History</b>	<b>Current Status</b>	<b>Counsel</b>
<b>NONE</b>	•	•	•	